

## **II. CLAIM AMENDMENTS**

1. (Previously presented) A method of transmitting messages in a telecommunication system comprising a first network offering circuit-switched services, a second network offering packet-switched services, and at least one mobile station supporting message transmission to the first and the second network, the method comprising:

checking, in response to the need to transmit at least one message, if the mobile station is attached to the second network,

transmitting said at least one message to the second network in response to the mobile station being attached to the second network, and

transmitting said at least one message to the first network in response to failure to transmit the message via the second network.

2. (Original) A method as claimed in claim 1, wherein said message is transmitted via the first network in response to non-attachment to the second network.

3. (Original) A method as claimed in claim 1, further comprising the steps of:

suspending packet-switched service in the second network before transmitting said message to the first network, and

continuing offering the packet-switched service after transmission of said message at the request of the first network or the mobile station.

4. (Original) A method as claimed in claim 1, wherein

the first network is a GSM network and the second network is a GPRS network.

5. (Original) A method as claimed in claim 4, wherein said message is a text-based short message of a short message service SMS or a picture message.

6. (Original) A method as claimed in claim 1, wherein

the user of the mobile station is offered the option to choose whether the messages are transmitted via the first network or the second network, and

the messages are transmitted in accordance with the user's choice.

7. (Previously presented) A mobile station configured to transmit a message via a first network offering circuit-switched services and a message via a second network offering packet-switched services, the mobile station being further configured to

check, in response to the need to transmit at least one message, if the mobile station is attached to the second network,

transmit said at least one message to the second network in response to the mobile station being attached to the second network, and

transmit said at least one message to the first network in response to failure to transmit the message via the second network.

8. (Previously presented) A mobile station as claimed in claim 7, wherein

the mobile station is configured to transmit said message via the first network in response to non-attachment to the second network.

9. (Previously presented) A mobile station as claimed in claim 7, wherein

the mobile station's user interface (UI) is configured to display a menu offering the user of the mobile station the option to choose whether messages are transmitted via the first network or the second network, and

the mobile station is configured to transmit the messages in accordance with the user's choice.

10. (Original) A mobile station as claimed in claim 7, wherein

the first network is a GSM network, the second network is a GPRS network, and said message is a short message of a short message service SMS.

11. (Previously presented) A method as claimed in claim 1, wherein, in said step of transmitting said at least one message to the second network, said at least one message is transmitted via a short message service (SMS) form of transmission.

12. (Previously presented) A mobile station as claimed in claim 7, wherein the mobile station is operative to transmit said at least one message to the second network via a short message service (SMS) form of transmission.

13. (Previously presented) A method as claimed in claim 1, wherein the second network is a GPRS network and said message is a short message of a short message service SMS, and said at least one message is transmitted to the first network offering circuit-switched services in response to a failure in the SMS transmission via the GPRS network if an error message is received in the mobile station.

14. (Previously presented) A mobile station as claimed in claim 7, wherein the second network is a GPRS network and said message is a short message of a short message service SMS, and the mobile station is configured to transmit said at least one message to the first network offering circuit-switched services in response to a failure in the SMS transmission via the GPRS network if an error message is received in the mobile station.

15. (Previously presented) A wireless device for transmitting a message via a first network or a second network, the wireless device comprising a processing unit and a memory for storing code for execution by the processing unit,

the processing unit being configurable by the code to check, in response to a need to transmit at least one message, if the wireless device is attached to the second network,

the processing unit being configurable by the code to transmit said at least one message to the second network in response to the wireless device being attached to the second network, and

the processing unit being configurable by the code to transmit said at least one message to the first network in response to failure to transmit the message via the second network.

16. (New) A method of transmitting short messages in a telecommunication system comprising a first network offering circuit-switched services, a second network offering packet-switched services, and at least one mobile station supporting short message transmission to the first network and the second network, the method comprising:

checking, in response to a need to transmit at least one short message, if the mobile station is attached to the second network,

transmitting said at least one short message to the second network in response to the mobile station being attached to the second network, and

transmitting said at least one short message to the first network in response to a failure to transmit the short message via the second network.

17. (New) A mobile station configured to transmit a short message via a first network offering circuit-switched services and a short message via a second network offering packet-switched services, the mobile station being further configured to:

check, in response to a need to transmit at least one short message, if the mobile station is attached to the second network,

transmit said at least one short message to the second network in response to the mobile station being attached to the second network, and

transmit said at least one short message to the first network in response to a failure to transmit the short message via the second network.

18. (New) A mobile station comprising:

means for transmitting a short message via a first network offering circuit-switched services,

means for transmitting a short message via a second network offering packet-switched services,

means for checking, in response to a need to transmit at least one short message, if the mobile station is attached to the second network,

means for transmitting said at least one short message to the second network in response to the mobile station being attached to the second network, and

means for transmitting said at least one short message to the first network in response to a failure to transmit the short message via the second network.

19. (New) A wireless device operative with a first network and a second network, comprising:

means for checking, in response to a need to transmit at least one message, if the wireless device is attached to the second network,

means for transmitting said at least one message to the second network in response to an attachment of the wireless device to the second network, and

means for transmitting said at least one message to the first network in response to a failure to transmit the message via the second network.